



UNITED STATES PATENT AND TRADEMARK OFFICE

JUL - 5 2005

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Office of Regulatory Policy
HFD - 13
5600 Fishers Lane,
Rockville, MD 20857

Attention: Claudia Grillo

Dear Ms. Axelrad:

Transmitted herewith is a copy of the application for patent term extension of U.S. Patent No. 5,202,333. The application was filed on September 22, 2003, under 35 U.S.C. § 156. Please note that the correspondence address has changed to the address noted below.

The patent claims a product that was subject to regulatory review under the Federal Food, Drug and Cosmetic Act. Subject to final review, the subject patent is considered to be eligible for patent term restoration. Thus, a determination by your office of the applicable regulatory review period is necessary. Accordingly, notice and a copy of the application are provided pursuant to 35 U.S.C. § 156(d)(2)(A).

Inquiries regarding this communication should be directed to the undersigned at (703) 306-3159 (telephone) or (703)872-9411 (facsimile).

Karin Ferriter

Karin Ferriter
Senior Legal Advisor
Office of Patent Legal Administration
Office of the Deputy Commissioner
for Patent Examination Policy

cc: ROCHE PALO ALTO LLC
PATENT LAW DEPT. M/S A2-250
3431 HILLVIEW AVENUE
PALO ALTO CA 94304

RE: ALOXI™
Docket No. 04E-0394